

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:

Tom Alex Thompson, Jr.,
Debtor.

Case No.: 17-64990-WLH
Chapter: 13

**LIMITED RESPONSE TO
MOTION TO APPROVE SALE OF REAL
PROPERTY**

Lakeview Loan Servicing, LLC (the “Secured Creditor”), by and through undersigned counsel, responds to the Motion to Approve Sale of Real Property (the “Motion”) (Doc. No. 73) and in support thereof, Secured Creditor states as follows:

1. This case was commenced by the filing of a voluntary Chapter 13 petition on August 28, 2017.
2. Secured Creditor holds a mortgage lien against the Debtor's property located at 3110 Clearwater Drive, Douglasville, Georgia 30135 (the “Property”).
3. Secured Creditor filed Proof of Claim # 8 with a total debt in the amount of \$73,855.71.
4. The Debtor’s confirmed Chapter 13 Plan (Doc. No. 34) provided for the Property to be treated outside and/or direct.
5. The Debtor is seeking authority to sell the Property
6. Creditor holds the first lien on the real property that is the subject matter of this Motion. Creditor is not opposed to Debtor’s Motion to Sell the property provided that the mortgage lien is paid in full at closing of the sale pursuant to a contemporaneous payoff statement secured at the time of closing and that any sale short of full payoff will be subject to

Lakeview Loan Servicing, LLC's final approval prior to closing of the sale.

7. Debtor's Motion provides that Debtor intends to sell the property to the brother of the Debtor's former spouse for \$80,000.00. The approximate balance of the Creditor's lien is \$78,389.54.

8. Secured Creditor reserves the right to supplement and/or amend this Response.

WHEREFORE, the Secured Creditor requests that the Court enter an Order permitting the Motion to Sell Real Property with the additional language requested by Secured Creditor, and for such other and further relief as the Court deems just and proper.

McCalla Raymer Leibert Pierce, LLC

By:

/s/John D. Schlotter

John D. Schlotter
GEORGIA BAR NO. 629456
Attorney for Movant
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CERTIFICATE OF SERVICE

I, John D. Schlotter, of MCCALLA RAYMER PIERCE, LLC, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I served a copy of the within LIMITED RESPONSE TO MOTION TO APPROVE SALE OF REAL PROPERTY filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

Tom Alex Thompson, Jr.
10204 Cavalier Xing
Lithonia, GA 30038

Howard P. Slomka
Slipakoff & Slomka, PC
Suite 2100
3350 Riverwood Parkway
Atlanta, GA 30339

(served via ECF Notification)

Nancy J. Whaley, Trustee
Suite 120, Suntrust Garden Plaza
303 Peachtree Center Avenue
Atlanta, GA 30303

(served via ECF Notification)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 4/22/2020
(date)

By: /s/John D. Schlotter

John D. Schlotter
GEORGIA BAR NO. 629456
Attorney for Movant